

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSHUA ALLAN JACKSON,

Plaintiff,

v.

RYAN QUIRK, *et al.*,

Defendants.

CASE NO. C14-1849-RSM-MAT

REPORT AND RECOMMENDATION

Plaintiff Joshua Jackson is a Washington prisoner who is currently confined at the Monroe Correctional Complex (“MCC”). On December 3, 2014, the Court received from Mr. Jackson a civil rights complaint under 42 U.S.C. § 1983 in which he alleged that he had been denied adequate mental health care at MCC. (*See id.*, Dkt. 9.) Plaintiff identified Ryan Quirk, Lindsey McIntyre, and Eric Harting as defendants in his complaint, and requested \$2.5 million in damages. (*See id.*) On January 20, 2015, the Court issued an order directing service of the complaint on the three named defendants, and defendants filed a timely answer to the complaint on March 16, 2015. (Dkts. 10 and 20.)

On March 25, 2015, the Court received from plaintiff a motion asking that he be permitted to dismiss his complaint without prejudice. (Dkt. 23.) Plaintiff indicates in his motion

1 that he needs more time to properly file grievances and investigate issues relevant to his
2 complaint. (*See id.*) Defendants filed a response to plaintiff's motion on March 27, 2015
3 indicating that they had no objection to dismissal of the complaint. (Dkt. 25.) As plaintiff has
4 indicated a desire not to proceed with this action at the present time, and as defendants indicate
5 they have no objection to dismissal of the complaint, this Court recommends that plaintiff's
6 motion to dismiss be granted and that plaintiff's complaint and this action be dismissed without
7 prejudice.

8 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
9 served upon all parties to this suit within **twenty-one (21) days** of the date on which this Report
10 and Recommendation is signed. Failure to file objections within the specified time may affect
11 your right to appeal. Objections should be noted for consideration on the District Judge's
12 motions calendar for the third Friday after they are filed. Responses to objections may be filed
13 within **fourteen (14) days** after service of objections. If no timely objections are filed, the
14 matter will be ready for consideration by the District Judge on **April 24, 2015**.

15 DATED this 1st day of April, 2015.

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18 Mary Alice Theiler
United States Magistrate Judge